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Attorney for Trustee  
Michael D. McGranahan

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
(Modesto Division)

In re	)	Case No:	11-90485
SHARON D. SEPULVEDA AKA	)	DCNO:	SSA-3
SMITH,	)	Date:	June 22, 2011 ✓
	)	Time:	10:30 a.m.
Debtor.	)	Place:	1200 I St., Ste 4
	)		Modesto, CA
	)	Dept:	E
	)	Judge:	Ronald H. Sargis

**TRUSTEE'S MOTION FOR SALE OF BANKRUPTCY  
ESTATE'S INTEREST IN REAL PROPERTY  
[11 U.S.C. SECTION 363(b)(1)]**

To: THE HONORABLE RONALD H. SARGIS, U.S. BANKRUPTCY JUDGE:

Trustee, Michael D. McGranahan, respectfully states the following pursuant to 11 U.S.C. Section 363 (b) (1) of the Bankruptcy Code and respectfully represents the following:

1. Debtor filed the subject Chapter 7 bankruptcy case on February 9, 2011. Thereafter, Michael D. McGranahan became the duly appointed Trustee of the subject estate.
2. Among the assets which constitute this estate is real property commonly known as **1336 Q STREET, NEWMAN, CA 95360**. APN No. 128-007-015.
3. The foregoing property is residential/rental property used for commercial purposes.
4. Trustee McGranahan has received an offer to sell the estate's interest in the

**MOTION FOR SALE**

1 subject property to Mike Center, a nephew of the Debtor for the principal sum of \$120,000.  
2 The subject offer is “AS IS” and “WHERE IS” and **WITHOUT WARRANTY.**” The sale  
3 shall be free and clear of any liens and/or encumbrances of record. To the best of the Trustee’s  
4 knowledge there are no encumbrances of record, save and accept accrued property taxes. The  
5 proposed buyer has tendered his earnest money deposit of \$5,000 for the sale.

6 5. The proposed Sale Agreement also provides that an escrow shall be established with  
7 Chicago Title, and that buyer, Mike Center or his nominee, will with the Seller, share equally  
8 concerning the standard escrow fees and costs.

9 6. Additional terms and conditions of sale are included in the Agreement and the  
10 Trustee and his counsel direct creditors and interested parties to review the Agreement,  
11 previously designated as Exhibit “1” and the Trustee Addendum, if they so choose.

12 7. The sale is subject to Court approval and also overbid as determined by the Court.  
13 The Trustee would request that any overbid be in increments of \$2,500. As such, the next  
14 highest bid would be as follows:  $\$120,000 + \$2,500 = \$122,500$ .

15 8. The Trustee contends, based upon his investigation and circumstances surrounding  
16 this case, that it is in the best interests of case administration and for creditors of this estate if  
17 the sale be approved. The Trustee is also requesting this Court waive the stay requirements set  
18 forth under BR 6004(h). The basis for same is as follows: a) The sale price should facilitate  
19 payment to all creditors in this case; b) the Trustee cannot close the sale absent the statutory  
20 time for appeal to run; c) buyer will not be able to secure clear title until and unless all statutory  
21 and/or legal impediments to completion of sale are removed.

22 **WHEREFORE the Trustee prays as follows:**

- 23 1. For authorization to sell the subject property interest referenced  
24 above under the terms and conditions herein;
- 25 2. For authority for the Trustee to execute any further documents  
26 necessary or convenient to consummate this transaction;
- 27 3. For overbid, if any, in increments of \$2,500;
- 28 4. For authority to administer proceeds pursuant  
to the Trustee’s duties on behalf of this estate;
5. For waiver of BR 6004(h);

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6. Such other relief the Court deems just.

Dated: May 9, 2011

Law Offices of Steven Altman, PC

By: \_\_\_\_\_

STEVEN S. ALTMAN

Attorney for Trustee

Michael D. McGranahan